



Ad/1762A/IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Phillip B. Blankenship et al.) Attorney Docket No.: 506422.0047
Serial No.: 09/893,314) Group Art Unit: 1762
Filed: June 27, 2001) Examiner: Eric B. Fuller
Title: METHOD FOR SELECTING AN ASPHALT) Confirmation No.: 2106
MIXTURE FOR MAKING AN INTERLAYER)
AND METHOD OF MAKING AN INTERLAYER)

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated December 21, 2004 finally rejecting claims 37-59.

A check in the amount of \$500.00 to cover the Notice of Appeal fee is enclosed.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to deposit account No. 19-4409.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: February 15, 2005

Signature: *Jessica V. Barnard*

Printed Name: Jessica V. Barnard

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.